

Sullivan County NH

Type of meeting: Board of Commissioners Executive Session
Meeting Minutes, RSA 91-A.3.II.c.,d. and e
Contract / Legal Opinion

Date/Time: Tuesday, April 29, 2008; 4:16 PM

Place: Newport – Remington Woodhull County
Complex

Attendees: Commissioners Jeffrey Barrette – Chair, Bennie
Nelson – Vice Chair and Ethel Jarvis – Clerk; Greg
Chanis – Interim County Administrator; Marc
Hathaway – County Attorney and Sharon Johnson-
Callum

**4:16 Commissioner Jarvis moved to go into Executive Session per
RSA 91-A.3.II.c.,d. and e., for a contract/legal opinion
Commissioner Nelson seconded the motion. There was no
discussion. A roll call vote was made. The motion carried,
unanimously.**

Mr. Marc Hathaway confirmed he received the Board's request, through Mr. Chanis, to review the letter from some of the Delegation members regarding their concerns of a potential overpayment by the County to Genesis. He commended Mr. Chanis for his help at gathering information needed, of which he received the last document requested, today. Though Mr. Hathaway is still reviewing the full file, he feels the contract is an appropriate one. Mr. Chanis spoke regarding his interpretation of the definition of net revenue. He noted he was unable to find any written document that talks about a 4% cap. Mr. Hathaway noted it appears they are within the contract obligation. Commissioner Barrette indicated it's not an issue of overpaying to Genesis but the County going over budget. Mr. Hathaway reminded them the issue on the table: do Commissioners authorize a lawsuit to recover the money the Delegation feels they have overpaid. Mr. Hathaway and Mr. Chanis will continue to meet and return with an opinion next week. Mr. Barrette requested the opinion be placed in writing to present to the Delegates. Mr. Hathaway reiterated he feels it was consistent of contract and was within the scheme of budget.

**4:41 Commissioner Jarvis moved to come out of Executive Session.
Commissioner Nelson seconded the motion. There was no
discussion. A voice vote was taken. The motion carried,
unanimously.**

Respectfully submitted,


Ethel Jarvis, Clerk
Board of Commissioners

Date signed: 5-27-08

EJ/s.j-c.